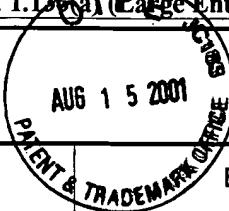


**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Page Entity)**

Docket No  
11535

**In Re Application Of: Michael Wayne Graham**



Serial No.

**Filing Date**  
**June 19, 1998**

Examiner  
S. Kaushal

Group Art Unit  
1633

**Invention: SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME II**

TECH CENTER 600/2900

AUG 22 2001

RECEIVED

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of February 12, 2001 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated February 12, 2001 finally rejecting Claim(s) 1-4 and 34-45

**Applicant(s) hereby request(s) an extension of time of (check desired time period):**

One month       Two months       Three months       Four months       Five months

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

**Fee for Notice of Appeal:** \$310.00

**Fee for Extension of Time:** \$890.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:** \$1,200.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of \$1,200.00 for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP  
A duplicate copy of this sheet is enclosed.  
 Any additional filing fees required under 37 C.F.R. 1.16.  
 Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-1013/SSMP A duplicate copy of this sheet is enclosed.

08/20/2001 HWY10NG1 00000026 09100812

08/20/2001 HYUONG1 00000026 09100812

01 BC:117

**890.00 0P**

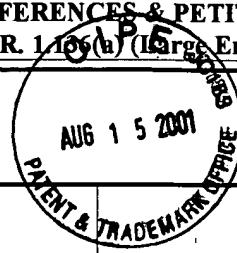
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310.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.  
**11535**

In Re Application Of: **Michael Wayne Graham**



Serial No.  
**09/100,812**

Filing Date  
**June 19, 1998**

Examiner  
**S. Kaushal**

Group Art Unit  
**1633**

Invention: **SYNTHETIC GENES AND GENETIC CONSTRUCTS COMPRISING SAME I**

TECH CENTER 1600/2900

AUG 22 2001

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Peter I. Bernstein  
Signature

Dated: **August 13, 2001**

**Peter I. Bernstein**  
Registration No. 43,497  
Scully, Scott, Murphy & Presser  
400 Garden Plaza  
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**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. ) on

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

**Certificate of Mailing**

I certify that this document and fee is being deposited on August 13, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Michelle Mustafa

Typed or Printed Name of Person Mailing Correspondence

\*This certificate may only be used if paying by deposit account.

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